

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

DEAN A. MANWEILER,

Plaintiff,

v.

**JO ANNE B. BARNHART,
Commissioner of the,
Social Security Administration,**

Defendant.

Case No. 05-CV-362-PJC

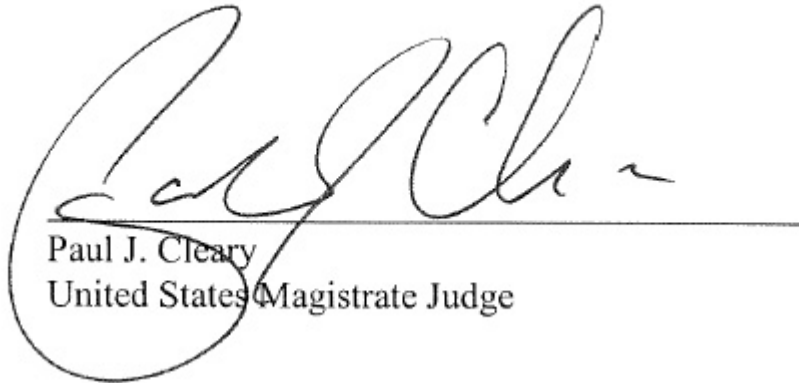
ORDER

Before the Court is Defendant's Motion to Reverse and Remand for Further Administrative Proceedings Pursuant to Sentence Four of §205(g) of the Social Security Act, 42 U.S.C. §405(g) (Dkt. #19). Defendant seeks remand of this case as the Administrative Law Judge ("ALJ") failed to properly evaluate the medical evidence pertaining to Plaintiff's shoulder impairment, failed to properly consider whether the impairment was severe and whether it posed any functional limitations and failed to properly assess the credibility of Plaintiff's subjective complaints. Plaintiff does not object to the motion on its face but requests that the Court's remand Order include restrictive language prohibiting the Commissioner from re-examining whether Plaintiff has been disabled since February 17, 2005, the date Plaintiff's subsequent application was granted. (Dkt. #21). The time for filing a reply has passed and Defendant has not filed any objection to Plaintiff's request.

Accordingly, upon consideration of the motion and response and for good cause shown, it is hereby ORDERED that the Commissioner's decision that Plaintiff was not disabled at any time through the date of the Commissioner's final decision in this case be reversed and the case remanded for further administrative action for that period of time pursuant to sentence four of

Section 205(g) of the Social Security Act, 42 U.S.C. §405(g).

DATED, this 2nd day of May, 2006.



Paul J. Cleary
United States Magistrate Judge